

Exhibit E

SUPREME COURT: ALL COUNTIES
WITHIN THE STATE OF NEW YORK

IN RE: NEW YORK CITY :
ASBESTOS LITIGATION :
This Document Applies To: : DEPOSITION UPON
CHRISTIAN HOLINKA : ORAL EXAMINATION
: OF
: CHRISTIAN HOLINKA
: (VOLUME III)
-----:

T R A N S C R I P T of the deposition of
CHRISTIAN HOLINKA, called for Oral Examination in the
above entitled action, said deposition being taken
pursuant to Rules governing Civil Practice in the Courts
of New York, by and before KERRY D. HALPERN, a Notary
Public and Shorthand Reporter of the State of New York,
at the LAW OFFICES of WEITZ & LUXENBERG, P.C., 120 Wall
Street, 15th floor, New York, New York 10038, on
Thursday March 1, 2007, commencing at 10:35 a.m.

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Staten Island, New York 10314
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<p style="text-align: right;">Page 249</p> <p>1 IT IS HEREBY STIPULATED AND AGREED 2 by and between the attorneys for the respective parties 3 hereto that filing, sealing and certification of the 4 within Examination Before Trial be waived; that all 5 objections, except as to form, are reserved to the time 6 of trial.</p> <p>7 IT IS FURTHER STIPULATED AND AGREED 8 that the transcript may be signed before any Notary 9 Public with the same force and effect as if signed before 10 a Clerk or Judge of the Court.</p> <p>11 IT IS FURTHER STIPULATED AND AGREED 12 that the within examination may be utilized for all 13 purposes as provided by the CPLR and Part 221 of the 14 Uniform Rules for the Conduct of Depositions.</p> <p>15 IT IS FURTHER STIPULATED AND AGREED 16 that all rights provided to all parties by the CPLR shall 17 not be deemed waived and the appropriate sections of the 18 CPLR shall be controlling with respect thereto.</p> <p>19 IT IS FURTHER STIPULATED AND AGREED by and 20 between the attorneys for the respective parties hereto 21 that a copy of this Examination shall be furnished, 22 without charge, to the attorney representing the witness 23 testifying herein.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 251</p> <p>1 FOR THE DEFENDANT CBS: 2 FOR THE DEFENDANT ADIENCE: 3 MALABY, CARLISLE & BRADLEY, LLC 4 BY: KOO LEE, ESQ. 5 150 Broadway 6 New York, New York 10038</p> <p>7 FOR THE DEFENDANT A.W. CHESTERTON: 8 WILSON, ELSEY, MOSKOWITZ, EDELMAN & DICKER, LLP 9 BY: TODD DeSIMONE, ESQ. 10 150 East 42nd Street 11 New York, New York 10017</p> <p>12 FOR THE DEFENDANT LENNOX INDUSTRIES, INC.: 13 DARGER & ERRANTE, LLP 14 BY: CRAIG GLANTZ, ESQ. 15 116 East 27th Street 16 12th Floor 17 New York, New York 10016</p> <p>18 FOR THE DEFENDANT AMCHEM: 19 FOR THE DEFENDANT CERTAINTeed: 20 ANDERSON, KILL & OLICK, P.C. 21 BY: JONATHAN KROMBERG, ESQ. 22 1251 Avenue of the Americas 23 New York, New York 10020-1182</p> <p>24 FOR THE DEFENDANT BECKMAN COULTER INSTRUMENTS: 25 McGIVNEY & KLUGER, P.C. 26 BY: EYAL EISIG, ESQ. 27 80 Broad Street 28 20th Floor 29 New York, New York 10007</p>
<p style="text-align: right;">Page 250</p> <p>1 APPEARANCES: 2 FOR THE PLAINTIFF: 3 WEITZ & LUXENBERG, P.C. 4 BY: BENJAMIN DARCHE, ESQ. 5 180 Maiden Lane 6 17th Floor 7 New York, New York 10038</p> <p>8 FOR THE DEFENDANT FISHER SCIENTIFIC: 9 HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP 10 BY: KRISTY KULINA LYONS, ESQ. 11 40 Paterson Street 12 Box 480 13 New Brunswick, New Jersey 08903</p> <p>14 FOR THE DEFENDANT BAXTER HEALTHCARE: 15 DRINKER, BIDDLE & REATH, LLP 16 BY: TIMOTHY J. FRASER, ESQ. 17 500 Campus Drive 18 Florham Park, New Jersey 07932-1047</p> <p>19 FOR THE DEFENDANT VWR INTERNATIONAL: 20 UNIVAR USA: 21 DRINKER, BIDDLE & REATH, LLP 22 BY: DAVID F. ABERNETHY, ESQ. 23 500 Campus Drive 24 Florham Park, New Jersey 07932-1047</p> <p>25 FOR THE DEFENDANT KEWAUNEE SCIENTIFIC CO.: 26 MALABY, CARLISLE & BRADLEY, LLC 27 BY: DAVID SCHAFER, ESQ. 28 150 Broadway 29 New York, New York 10038</p>	<p style="text-align: right;">Page 252</p> <p>1 FOR THE DEFENDANT MANOR CARE HEALTH SERVICES: 2 REED SMITH, LLP 3 BY: GREG A. DADIKA, ESQ. 4 The Legal Center 5 One Riverfront Plaza 6 Newark, New Jersey 07102</p> <p>7 FOR THE DEFENDANT DuPONT: 8 LEADER & BERKON, LLP 9 BY: GLORIA KOO, ESQ. 10 630 Third Avenue 11 New York, New York 10017</p> <p>12 FOR THE DEFENDANT INGERSOLL RAND: 13 PEHLIVANIAN, BRAATEN & PASCARELLA, LLC: 14 BY: MICHELE MITTLEMENT, ESQ. 15 2430 Route 34 16 Manasquan, New Jersey 07963</p>

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INDEX			CHRISTIAN HOLINKA, having first been duly sworn, was examined and testified as follows:
3 WITNESS: CHRISTIAN HOLINKA			
4 EXAMINATION	PAGE		EXAMINATION
5 MS. KULINA LYONS	255, 318		BY MS. KULINA LYONS:
6 MR. FRASER	287		Q. Good morning, Mr. Holinka. My name is
7 MR. SCHAFER	314, 318		Kristy Lyons. I am from the law firm of Hoagland, Longo,
8 MR. DARCHE	315		Moran, Dunst & Doukas. I have several questions for you
9 MR. ABERNETHY	319		today mostly surrounding the actual labs that you worked
10 MR. DADKA	319		in.
11			I will try to be as brief as I can. I
12			will be asking the same questions for each job site that
13 EXHIBITS:	DEFENDANTS'	PAGE	you worked at, and it will start to get into a routine.
14 NUMBER	DESCRIPTION	PAGE	So, let's try not to talk over each other, okay?
15			A. Okay.
16			Q. And the same rules are in effect as the
17 QUESTIONS WITNESS INSTRUCTED NOT TO ANSWER:	PAGE LINE		last deposition.
18	None		Are you taking any medications today?
19			A. No.
20			Q. I know the last time we spoke you were
21 INFORMATION TO BE SUPPLIED:	PAGE LINE		going to see Dr. Moline this week.
22	304-12		A. Yes.
23	308-17		Q. Did you go see her?
24	312-20		A. Yes, I did.
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1 MOVE TO STRIKE:	PAGE LINE		Q. What did that exam involve?
2	None		A. An oral history and a physical
3			examination.
4			Q. Did she take a chest x-ray?
5			A. No.
6 MARK FOR RULING:	PAGE LINE		Q. Did she advise you of any opinions?
7	None		A. No.
8			Q. When did you go see her?
9			A. On Monday.
10			Q. Monday?
11			A. Yes.
12			Q. This past Monday?
13			A. This week, yes.
14			Q. Have you seen any other doctors since
15			the last time we spoke?
16			A. No.
17			Q. I think that we are clear, but just so
18			the record is clear, various times throughout your
19			testimony, you referred to mittens and gloves
20			interchangeably.
21			A. That's correct.
22			Q. I just want to make sure that you were
23			always talking about mittens, correct?
24			A. I was always talking about mittens.
25			Q. You have never worn a glove where all

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<p>1 your fingers were able to move around?</p> <p>2 A. No.</p> <p>3 Q. You taught at NYU?</p> <p>4 A. Yes, I did.</p> <p>5 Q. How long did you teach there?</p> <p>6 A. Two separate years as an adjunct faculty</p> <p>7 member.</p> <p>8 Q. Did you teach in the same building?</p> <p>9 A. No.</p> <p>10 Q. What buildings did you teach in?</p> <p>11 A. Tisch Hall.</p> <p>12 Q. Where is that?</p> <p>13 A. And I believe the Brown building.</p> <p>14 Q. Where is that?</p> <p>15 A. On the campus in the village.</p> <p>16 Q. Do you know the address of Tisch Hall?</p> <p>17 A. No.</p> <p>18 Q. And the Brown building?</p> <p>19 A. No.</p> <p>20 Q. Is that something that someone who went</p> <p>21 to NYU would know where the Brown building is?</p> <p>22 A. Yes.</p> <p>23 Q. I will ask my husband.</p> <p>24 Is anybody financially dependent upon</p> <p>25 you?</p>	<p>1 A. In billets or in tents.</p> <p>2 Q. In billets?</p> <p>3 A. Barracks really. We called them</p> <p>4 billets.</p> <p>5 Q. Was there any piping running through the</p> <p>6 barracks?</p> <p>7 A. I don't remember.</p> <p>8 Q. When you were in the Army and you were</p> <p>9 stationed in Fort Sam, where were you sleeping?</p> <p>10 A. In military quarters.</p> <p>11 Q. Where were they located?</p> <p>12 A. At Fort Sam Houston.</p> <p>13 Q. I am sorry?</p> <p>14 A. At Fort Sam Houston.</p> <p>15 Q. Do you know if there was any piping</p> <p>16 running through those barracks?</p> <p>17 A. No, I don't.</p> <p>18 Q. When you were in Germany at the 98th</p> <p>19 General Hospital, where did you sleep?</p> <p>20 A. At the hospital billets.</p> <p>21 Q. Do you know if there was any piping</p> <p>22 where you slept?</p> <p>23 A. No, I don't.</p> <p>24 Q. When you were in medical school in</p> <p>25 Canada, where did you reside?</p>
<p>1 A. No.</p> <p>2 Q. The friend that you have that lives in</p> <p>3 your condo, does he pay rent?</p> <p>4 A. Some.</p> <p>5 Q. Okay.</p> <p>6 What does he pay per month?</p> <p>7 A. About \$400.</p> <p>8 Q. Does anyone live with you currently?</p> <p>9 A. No.</p> <p>10 Q. When you were in Germany living with</p> <p>11 your aunt and cousin at various times, were you also</p> <p>12 living with your mom?</p> <p>13 A. No.</p> <p>14 Q. Did you ever live with your mom?</p> <p>15 A. When I was very small.</p> <p>16 Q. So, your aunt raised you?</p> <p>17 A. Yes.</p> <p>18 Q. When you were in basic training in the</p> <p>19 Army, what were you doing exactly?</p> <p>20 A. Push-ups, pull ups, learn how to shoot,</p> <p>21 run and receive instructions on military matters.</p> <p>22 Q. So, mainly physical?</p> <p>23 A. Yes.</p> <p>24 Q. Where did you sleep when you were in</p> <p>25 basic training?</p>	<p>1 A. At a private house.</p> <p>2 Q. Do you know the address?</p> <p>3 A. No.</p> <p>4 Q. Do you know what town it was in?</p> <p>5 A. Montvale.</p> <p>6 Q. Do you know if any home renovation work</p> <p>7 was done to that residence while you lived there?</p> <p>8 A. I don't.</p> <p>9 Q. Have you personally ever performed any</p> <p>10 home renovations?</p> <p>11 A. No.</p> <p>12 Q. I want to talk to you a little bit about</p> <p>13 the time that you were in the Army at Fort Sam.</p> <p>14 Where was the laboratory that you worked</p> <p>15 in?</p> <p>16 A. At Fort Sam Houston.</p> <p>17 Q. What building was it in?</p> <p>18 A. I don't remember.</p> <p>19 Q. Do you remember how large the building</p> <p>20 was?</p> <p>21 A. No, I don't.</p> <p>22 Q. Do you remember anything specific about</p> <p>23 the building, how many floors it was?</p> <p>24 A. No, I don't.</p> <p>25 Q. Okay.</p>

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<p>1 Q. Do you know where the lab was located in 2 the building? 3 A. I don't remember. 4 Q. Do you recall the dimensions of the lab 5 that you worked in? 6 A. No, I don't. 7 Q. Do you know if it was more than one lab 8 that you worked in while you were at Fort Sam? 9 A. Yes, I do. 10 Q. How many labs? 11 A. Two laboratories. 12 Q. And they were both in the same building? 13 A. I don't remember. 14 Q. Do you know if there was any sort of 15 ventilation in those laboratories? 16 A. I don't know. 17 Q. Do you recall how many workstations were 18 in the labs? 19 A. About 25. 20 Q. 25 workstations per laboratory? 21 A. No, in one laboratory. It was a 22 classroom. 23 Q. There would be 25 work areas -- 24 A. About 25. 25 Q. -- in each laboratory?</p>	<p>1 Q. Do you recall any of the names of those 2 students? 3 A. No. 4 Q. How about when you worked in pathology, 5 what were you doing? 6 A. Assisting at autopsies. 7 Q. Do you know who you were assisting? 8 A. No. 9 Q. Would you have used any of the Bunsen 10 burners in the pathology department? 11 A. No. 12 Q. Would you have ever worn the mittens in 13 the pathology department? 14 A. No. 15 Q. How much of your time was spent in the 16 classroom versus the pathology department? 17 A. The pathology period followed the 18 classroom instructions -- 19 Q. Okay. 20 Q. So, you were -- I am sorry. 21 A. -- and about two months pathology, about 22 four months class work. 23 Q. I thought you were at Brooks Medical 24 Center for two months. 25 Q. Is that incorrect then? Were you there</p>
<p>1 A. No. The other one was pathology. 2 Q. Okay. 3 So, one laboratory had 25 workstations. 4 A. Yes. 5 Q. The other lab was pathology. 6 A. Yes. 7 Q. How many workstations were in the 8 pathology lab? 9 A. When you autopsy people, one doesn't 10 really refer to it as workstations. There were two or 11 three autopsy tables. 12 Q. And that's fine, sir. I haven't 13 personally worked in these labs, so that's fine to 14 correct me -- 15 A. Sorry. 16 Q. -- because I don't always understand and 17 visualize that the same way as you. So, thank you for 18 telling me that. 19 Q. What kind of work would you be doing in 20 the lab with the 25 workstations? 21 A. Hematology, biochemistry, urinalysis. I 22 was a student there. 23 Q. Do you recall how many students were in 24 the classroom with you? 25 A. Approximately 25.</p>	<p>1 longer? 2 A. No. I was there longer. 3 Q. Okay. 4 Q. How long were you there? 5 A. Approximately four and a half to five 6 months. 7 Q. So, you were in the classroom for 8 approximately four months and then you moved to the 9 pathology -- 10 A. Approximately three months classroom and 11 approximately six weeks pathology. 12 Q. Did you ever wear a mask or a respirator 13 at Fort Sam? 14 A. A respirator, no. A mask, yes. 15 Q. What kind of mask did you wear? 16 A. Just a normal surgical mask. 17 Q. Why would you wear a surgical mask? 18 A. When you worked with formaldehyde. 19 Q. Would that only be in the pathology 20 department? 21 A. Yes. 22 Q. Did you wear a lab coat? 23 A. Oh, yes. 24 Q. In both departments? 25 A. Yes.</p>

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<p>1 Q. Did you wear goggles or a shield? 2 A. A shield of what sort? 3 Q. Well, did you wear any goggles? 4 A. No. 5 Q. Did you wear anything covering your 6 face? 7 A. No. 8 Q. When you worked in the classroom, where 9 were the mittens kept? 10 A. I don't remember. 11 Q. Were you assigned a certain pair of 12 mittens that were your mittens? 13 A. No. 14 Q. Do you know where the supplies were kept 15 at Fort Sam? 16 A. No. 17 Q. Then, you went to the 98th General 18 Hospital? 19 A. Yes. 20 Q. And you worked at -- 21 A. No - yes. I am sorry. 22 Q. Okay. 23 You worked in one lab consisting of 24 different divisions. Is that correct? 25 A. That's correct.</p>	<p>1 A. Clinical chemistry and bacteriology 2 combined approximately 400 square feet. 3 Q. You had hematology -- 4 A. Hematology approximately 200 square 5 feet. 6 Q. There was another one too. I missed it. 7 What was it, are -- 8 MR. DARCHE: Archeology. 9 MS. KULINA LYONS: Could you 10 read it back? 11 (The following testimony was 12 read back: 13 "Answer: Hematology, clinical 14 chemistry, bacteriology, histology and 15 pathology.") 16 A. Bacteriology and clinical chemistry were 17 combined in one room? 18 Q. And that was 400 square feet? 19 A. That was the largest. That's about 400 20 feet. 21 Q. Do you know if any of the rooms had any 22 ventilation? 23 A. I don't. 24 Q. Did any of the rooms have windows? 25 A. Yes.</p>
<p>1 Q. How large is the one open area? 2 A. The lab consisted of several rooms of 3 different sizes. 4 Q. Do you recall how many different rooms? 5 A. Five or six. 6 Q. Was each room set up for a different 7 purpose? 8 A. Yes. 9 Q. Did you work in all of the rooms? 10 A. Yes. 11 Q. Do you know the dimensions of any of the 12 rooms? 13 A. Not exactly, but approximately. 14 Q. Okay. 15 Why don't you first tell me what were 16 the five or six rooms for, what different departments? 17 A. Hematology, clinical chemistry, 18 bacteriology, histology and pathology. 19 Q. Okay. 20 The pathology room, do you recall the 21 dimensions of that room? 22 A. Approximately 300 square feet. 23 Q. And the histology room? 24 A. Approximately 300 to 400 square feet. 25 Q. I am sorry. What was the other one?</p>	<p>1 Q. Did they all have windows? 2 A. I don't remember. 3 Q. Do you recall which different areas had 4 windows? 5 A. No. 6 Q. Did you ever have the windows open while 7 you were working in the lab? 8 A. I don't remember. 9 Q. Was there one area that you spent more 10 time versus another? 11 A. Overall, no. 12 Q. So, you equally spent your time 13 throughout? 14 A. Yes. 15 MR. DARCHE: I am sorry. 16 Could we just take a break? 17 (A short recess was taken.) 18 Q. Sir, when you were in the Army at 98th 19 General Hospital, you generally mentioned autoclaves and 20 sterile hoods. 21 Do you recall that testimony? 22 A. They were part of the laboratory, yes. 23 Q. Did you ever see anyone doing any 24 repairs to any of the equipment in the laboratory? 25 A. No, I didn't.</p>

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1 Q. Did you ever wear a mask or a respirator 2 when you were at 98th General Hospital? 3 A. A mask. 4 Q. Was that in the pathology department as 5 well? 6 A. Yes, and in bacteriology. 7 Q. What kind of mask did you wear in 8 bacteriology? 9 A. Surgical mask. 10 Q. And a surgical mask in pathology as 11 well? 12 A. Yes. 13 Q. Did you wear a lab coat? 14 A. Yes. 15 Q. Did you ever wear goggles? 16 A. No. 17 Q. Did you ever wear anything that covered 18 your face at all? 19 A. No. 20 Q. Where were the mittens kept when you 21 were at 98th General? 22 A. I don't remember. 23 Q. Do you know where any of the supplies 24 were kept when you were at 98th General? 25 A. There was a supply room.	<p>1 there would be?</p> <p>2 MR. DARCHE: Don't guess.</p> <p>3 A. No, I don't.</p> <p>4 Q. Would each workbench have a Bunsen 5 burner?</p> <p>6 A. Yes.</p> <p>7 Q. Would there be more than that for each 8 workbench?</p> <p>9 A. I don't remember.</p> <p>10 Q. Did you ever wear a mask or respirator 11 while you were there?</p> <p>12 A. No.</p> <p>13 Q. What kind of work were you actually 14 doing there?</p> <p>15 MR. DARCHE: I am just going 16 to object that we went over this 17 already.</p> <p>18 But, you can answer again.</p> <p>19 Q. That's okay. I do have it in my notes.</p> <p>20 A. Serum analysis principally.</p> <p>21 Q. Did you wear a lab coat while you were 22 there?</p> <p>23 A. Yes.</p> <p>24 Q. Did you ever wear goggles?</p> <p>25 A. No.</p>
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1 Q. Where was that? 2 A. It was part of the laboratory. 3 Q. Did you have a set pair of mittens that 4 were assigned to you to wear? 5 A. No. 6 Q. Moving on to Booth Memorial. 7 A. Yes. 8 Q. Was that just one laboratory that you 9 worked in? 10 A. Yes. 11 Q. Do you recall the dimensions of that 12 laboratory? 13 A. About 400 square feet. 14 Q. Was it just one big open room? 15 A. Yes. 16 Q. Was there any ventilation in that room? 17 A. I don't know. 18 Q. Were there windows? 19 A. I don't remember. 20 Q. Do you know how many work areas there 21 were in that room? 22 A. Two or three benches. 23 Q. Were you assigned a workbench? 24 A. No. 25 Q. Do you know how many Bunsen burners	<p>1 Q. Did you ever wear anything that shielded 2 your face?</p> <p>3 A. No.</p> <p>4 Q. Did you know where the mittens were kept 5 there?</p> <p>6 A. No.</p> <p>7 Q. Were you assigned a pair of mittens?</p> <p>8 A. No.</p> <p>9 Q. Where were the supplies kept at Booth?</p> <p>10 A. I don't know.</p> <p>11 Q. Then, you went to U.C. Berkeley and you 12 worked in the Life Sciences Building?</p> <p>13 A. Yes.</p> <p>14 Q. Can you tell me a little bit about the 15 Life Sciences Building, how many floors that is?</p> <p>16 A. Four floors, a huge building.</p> <p>17 Q. Is this where all of the laboratory work 18 was done?</p> <p>19 A. Yes.</p> <p>20 Q. You mentioned working in two 21 laboratories during that time.</p> <p>22 Do you know if there was any ventilation 23 in those laboratories?</p> <p>24 A. No, I don't.</p> <p>25 Q. Do you know if there were any windows?</p>

		Page 273	Page 275
1	A.	Yes, there were.	
2	Q.	Did each room have windows?	
3	A.	Yes.	
4	Q.	Do you know if they were ever kept open?	
5	A.	Yes, they were.	
6	Q.	How many windows did each room have?	
7	A.	One.	
8	Q.	Was there more than one entrance to these rooms?	
9	A.	No.	
10	Q.	Where would you obtain your mittens on a daily basis?	
11	A.	There was a central supply.	
12	Q.	And that is where you would get them every day?	
13	A.	Not every day. They were at the laboratory. You had a pair at the lab.	
14	Q.	So, where were they kept within the laboratory?	
15	A.	On the workbench somewhere.	
16	Q.	There were two rooms. What were you doing in each laboratory?	
17	A.	Analysis of California soils.	
18	Q.	Okay.	
19		In both of them?	
			Page 275
1	A.	Yes.	
2	Q.	Were you assigned a certain workbench?	
3	A.	No.	
4	Q.	Were you assigned a pair of mittens there?	
5	A.	No.	
6	Q.	Moving to the time when you were in the actual classrooms —	
7	A.	Yes.	
8	Q.	You had mentioned that you believe there was about a half dozen lab courses that you had?	
9	A.	Yes, approximately.	
10	Q.	Do you recall any of the names of the classes that you took, the subject matter?	
11	A.	Chemistry, physiology. That is it.	
12	Q.	Were those classes also held in the Life Sciences Building?	
13	A.	Physiology, yes. Chemistry, no.	
14	Q.	Where was chemistry?	
15	A.	I don't remember. In the chemistry building but —	
16	Q.	Okay.	
17		Besides the Life Sciences Building and the chemistry building, do you remember taking classes in any other building at Berkeley?	
			Page 276
1	A.	Yes.	
2	Q.	What other buildings, laboratory classes only?	
3	A.	No. Well, I did not take laboratory classes in any other building.	
4	Q.	Besides the chemistry building?	
5	A.	Right.	
6	Q.	And the Life Sciences Building?	
7	A.	Right.	
8	Q.	Were all the classrooms relatively the same size?	
9	A.	Yes.	
10	Q.	Do you know how big they were?	
11	A.	Yeah. I would like to correct this, no. They were not. Some were auditoriums very large and others were small classrooms.	
12	Q.	I just want to clarify. I am only talking about the laboratories, so I only want to know about the lab sizes?	
13	A.	The laboratories were approximately the same size.	
14	Q.	Do you recall the dimensions of the laboratories?	
15	A.	400 square feet.	
16	Q.	Did the classrooms have any ventilation?	
			Page 276
1	A.	I don't remember.	
2	Q.	Do you know if there were windows in the classroom?	
3	A.	I don't remember.	
4	Q.	Do you know where the mittens were kept when you were in the classroom?	
5	A.	No, I don't.	
6	Q.	Were you assigned mittens in the classroom?	
7	A.	No.	
8	Q.	Did you wear a lab coat when you were in the classroom?	
9	A.	Yes.	
10	Q.	Did you ever wear a respirator when you were in the classroom?	
11	A.	No.	
12	Q.	When you were working in the lab, just working -- not in the classroom at U.S. Berkeley, did you wear a lab coat?	
13	A.	Yes.	
14	Q.	Did you wear goggles ever?	
15	A.	No.	
16	Q.	Did you wear a mask or a respirator?	
17	A.	No.	
18	Q.	Then, you went to Hunter College.	

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<p>1 A. Yes.</p> <p>2 Q. There was one lab that you worked in at 3 the Park Avenue Building. Is that correct?</p> <p>4 A. Yes, that's correct. As a student.</p> <p>5 Q. Do you know the dimensions of the 6 classroom that you were in?</p> <p>7 A. No.</p> <p>8 Q. Do you know if there was any 9 ventilation?</p> <p>10 A. I don't know.</p> <p>11 Q. Do you know how many workstations were 12 in the classroom?</p> <p>13 A. Four or five benches.</p> <p>14 Q. Do you know how many Bunsen burners 15 would be in the classroom?</p> <p>16 A. I don't recall.</p> <p>17 Q. Were you assigned a certain workstation 18 when you were in the classroom?</p> <p>19 A. I do not remember.</p> <p>20 Q. Did you obtain mittens from a certain 21 area in the laboratory when you used them?</p> <p>22 A. I don't remember.</p> <p>23 Q. Then, you returned to U.C. Berkeley for 24 the graduate program -- oh, no.</p> <p>25 First, you went there and worked in the</p>	<p>1 A. A mask, yes. A respirator, no.</p> <p>2 Q. What kind of mask?</p> <p>3 A. Surgical mask.</p> <p>4 Q. Did I ask you if there were any windows 5 in that room?</p> <p>6 A. Yes, you did. I do not remember.</p> <p>7 Q. Okay, thank you.</p> <p>8 Did you wear any goggles?</p> <p>9 A. No.</p> <p>10 Q. Then at SUNY, you worked in one lab on 11 the first floor in the anatomy department?</p> <p>12 A. That's correct.</p> <p>13 Q. And you described that lab previously as 14 a medium size laboratory?</p> <p>15 A. Yes.</p> <p>16 Q. Do you recall the dimensions at all?</p> <p>17 A. 400 square feet.</p> <p>18 MR. DARCHE: Don't guess.</p> <p>19 Q. Do you know if there was any ventilation 20 in that laboratory?</p> <p>21 A. I don't know.</p> <p>22 Q. Were there windows in that room?</p> <p>23 A. Yes.</p> <p>24 Q. How many windows?</p> <p>25 A. I believe one.</p>
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<p>1 same lab that we previously talked about?</p> <p>2 A. Yes, that's correct.</p> <p>3 Q. And then you went and you were in the 4 graduate program and you were working in the Life 5 Sciences Building again?</p> <p>6 A. Yes.</p> <p>7 Q. And at that time you were on the same 8 floor, but in a different lab?</p> <p>9 A. Yes.</p> <p>10 Q. Do you recall the dimensions of that 11 lab?</p> <p>12 A. Approximately 600 square feet.</p> <p>13 Q. Do you know if there was any ventilation 14 in that laboratory?</p> <p>15 A. I don't know.</p> <p>16 Q. Do you know if there were windows?</p> <p>17 A. I don't know.</p> <p>18 Q. What kind of experiments or research 19 were you doing at that time?</p> <p>20 A. Research in rats endocrinology of the 21 brain.</p> <p>22 Q. Were you wearing a lab coat?</p> <p>23 A. Yes.</p> <p>24 Q. Did you ever wear a mask or a 25 respirator?</p>	<p>1 Q. Was it ever kept open?</p> <p>2 A. I don't remember.</p> <p>3 Q. Did you ever wear a mask or a 4 respirator?</p> <p>5 A. I don't remember.</p> <p>6 Q. What kind of work were you doing in that 7 laboratory?</p> <p>8 A. I was working on rats in a hormonal 9 control of the maternal paramount.</p> <p>10 Q. What kind of experiments would that 11 entail?</p> <p>12 A. They were basically behavioral 13 experiments.</p> <p>14 Q. Did you have a set spot where you kept 15 your mittens?</p> <p>16 A. No.</p> <p>17 Q. Did you have an assigned set of mittens 18 there?</p> <p>19 A. No.</p> <p>20 Q. I just missed two questions.</p> <p>21 When you were in the graduate program at 22 U.C. Berkeley, did you have an assigned set of mittens?</p> <p>23 A. No.</p> <p>24 Q. Do you know where the mittens were kept 25 there?</p>

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1 A. No.	2 Q. Then, you went to Columbia University?	3 A. Yes.	1 A. Animal work and biochemical analysis.	2 Q. Was there any ventilation in those	3 rooms?
4 Q. That was the building on 168th Street?	5 A. Yes.	6 Q. Where was the lab in that building?	4 A. I don't know.	5 Q. Do you know if there were any windows in	6 those rooms?
7 A. I don't remember.	8 Q. Was it more than one lab?	9 A. No.	7 A. Yes.	8 Q. Did all the rooms have windows?	9 A. I don't remember.
10 Q. Do you remember the dimensions of the	11 lab?	12 A. No.	10 Q. Did you ever keep the windows open?	11 A. They did not open.	12 Q. Okay.
13 Q. Do you recall if there was any	14 ventilation in the lab?	15 A. No. I do not recall.	13 Q. Did you wear a lab coat when you were in	14 there?	15 A. Yes.
16 Q. Do you know if there were any windows in	17 the lab?	17 A. I do not remember.	16 Q. Did you ever wear a mask or a	17 respirator?	18 A. A mask, yes. A respirator, no.
19 Q. Did you wear a mask or a respirator	20 while you were there?	21 A. No.	19 Q. What kind of mask?	20 A. Surgical mask.	22 Q. Did you wear a lab coat?
22 Q. What kind of research were you doing	23 there?	23 A. It was not research. It was a job.	22 A. Yes.	23 Q. Did you ever wear goggles?	24 A. No.
25 Q. Okay.			25 Q. Did you ever wear anything to shield		
Page 282			Page 284		
1 A. Analysis of human serum plasma.	2 Q. Did you ever wear goggles while you were	3 there?	1 A. your face?	2 A. No.	3 Q. Where would you keep the mittens when
4 A. No.	5 Q. Did you wear a lab coat?	6 A. Yes.	4 you worked there?	5 A. I don't remember.	6 Q. Then, finally, you were at Mount Sinai?
7 Q. Where were the mittens kept in that	8 laboratory?	9 A. I don't know.	7 A. Yes.	8 Q. And that was in the Annenberg building?	9 A. That's correct.
10 Q. Then, you went to the University of	11 California in Los Angeles, correct?	12 A. University of Southern California.	10 Q. You said that you worked principally in	11 three laboratories in that building?	12 A. Yes.
13 MR. DARCHE: U.S.C.	14 A. U.S.C.	15 Q. I knew I was going to do that.	13 Q. On the 20th floor?	14 A. Yes.	15 Q. What else was going on throughout that
16 There, you worked in four rooms on the	17 second floor?	17 A. Yes.	16 building?	17 MR. DARCHE: I am just going	18 to object to the form.
18 Q. Do you recall the dimensions of any of	19 those rooms?	20 A. No.	19 Q. You can answer.	20 A. The whole thing has 25 floors and there	21 was a variety of activities going on.
21 Q. Can you tell me what each room was used	22 for, if you remember?	23 A. No. I do not.	22 Q. On the 20th floor, was that comprised of	23 mostly laboratories?	24 A. Laboratories and offices.
24 Q. What kind of work were you doing there?		25 Q. Was there any ventilation in the			

<p style="text-align: right;">Page 285</p> <p>1 laboratories that you worked in? 2 A. I don't know. 3 Q. Did you have any windows? 4 A. Yes. 5 Q. Were those windows ever open? 6 A. No. 7 Q. Did you wear a lab coat? 8 A. Yes. 9 Q. Did you ever wear a mask? 10 A. Yes. 11 Q. What kind of mask? 12 A. Surgical mask. 13 Q. What kind of work were you doing? 14 A. Animal research, biochemical research in 15 women's health care. 16 Q. Did each of the three labs that you 17 worked in have different purposes? 18 A. No. 19 Q. Did you spend an equal amount of time in 20 each room? 21 A. No. 22 Q. What room did you spend more time in? 23 A. Two rooms out of the three. 24 Q. Were they all the same size? 25 A. No.</p>	<p style="text-align: right;">Page 287</p> <p>1 Q. Were you utilizing any chemicals while 2 you were working at Mount Sinai? 3 A. Yes. 4 Q. What kind of chemicals? 5 A. Salts, acids, hormones. Chemicals 6 usually used in this type of analysis. 7 Q. Okay. 8 MS. KULINA: I think that is 9 all I have for you, sir. 10 Thank you. 11 BY MR. FRASER: 12 Q. Good morning, Mr. Holinka. 13 A. Good morning. 14 Q. Do you need to take a break before we 15 switch? 16 MR. DARCHE: Whatever you want 17 to do. 18 THE WITNESS: Just a few 19 minutes. 20 MR. FRASER: That's fine. 21 (A short recess was taken.) 22 Q. Mr. Holinka, my name is Tim Fraser from 23 Drinker, Biddle & Reath. We represent Baxter Health Care 24 in this matter. 25 I am going to ask you a few questions</p>
<p style="text-align: right;">Page 286</p> <p>1 Q. Okay. 2 Can you tell me the size of the 3 different rooms? 4 A. Approximately 200 square feet, one, and 5 approximately 350 square feet, the other two. 6 Q. Which ones were you spending more time 7 in, the 350 square feet or the 200? 8 A. The 200. 9 Q. And one of the 350 square feet? 10 A. Yes. 11 Q. Did you have an office in that -- 12 A. Yes. 13 Q. How much of your time was spent in the 14 office? 15 A. About approximately one-quarter of my 16 time. 17 Q. What kind of work would you be doing in 18 the office? 19 A. Writing manuscripts, analyzing data, 20 reviewing grant applications, reviewing manuscripts on a 21 peer review basis. 22 Q. What kind of research were you doing at 23 Mount Sinai? 24 A. Animal research and biochemistry, 25 biochemical analysis.</p>	<p style="text-align: right;">Page 288</p> <p>1 about the people that you worked with at these various 2 different sites. 3 I realize that you already answered some 4 questions on this subject and I will try to avoid 5 duplicating anything that we have covered in the past. 6 A. Thank you. 7 Q. Starting with Booth Memorial Hospital. 8 A. Yes. 9 Q. You had testified that your supervisor 10 was, let me put it this way, your supervisor was 11 Dr. Blaustein. 12 Is that correct? 13 A. That's correct. 14 Q. The section head was Olga Bzorad? 15 A. That is correct. 16 Q. You testified that you didn't recall any 17 co-workers' names, but were there any other people who 18 worked in the lab who didn't necessarily work for Olga 19 Bzorad or Dr. Blaustein? 20 A. I don't remember. 21 Q. Do you recall whether there was 22 anyone -- do you recall anyone else who worked on that 23 same floor? 24 A. No, I don't. 25 Q. No, you do not?</p>

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<p>1 A. No, I do not.</p> <p>2 Q. Do you know or remember anyone who was 3 responsible for purchasing pads and mittens at Booth 4 Memorial Hospital?</p> <p>5 A. No, I do not.</p> <p>6 Q. Do you know anyone who might know the 7 manufacturer, brand name or trade name of the pads and 8 mittens at Booth Memorial Hospital?</p> <p>9 MR. DARCHE: Objection.</p> <p>10 Other than what he's already 11 testified to?</p> <p>12 MR. FRASER: I am asking if he 13 knows the names of anybody there. I 14 mean, yes. Subject to what he has 15 testified to. But, this is all 16 subject to what he has testified to.</p> <p>17 MR. DARCHE: I got you.</p> <p>18 Q. Do you know the names of anyone who may 19 know the manufacturer, trade name or brand name of the 20 pads and mittens used at Booth Memorial?</p> <p>21 A. No, I do not.</p> <p>22 Q. Do you know anyone who might know the 23 supplier or distributor from whom the pads and mittens 24 were purchased for Booth Memorial Hospital?</p> <p>25 A. No, I do not.</p>	<p>1 form.</p> <p>2 A. No.</p> <p>3 MR. DARCHE: You can answer.</p> <p>4 A. No, I do not.</p> <p>5 Q. Do you know the name of anyone who might 6 know the supplier or distributor for whom the pads and 7 mittens were purchased at that lab?</p> <p>8 A. No, I don't.</p> <p>9 Q. Now, I would like to ask you a few 10 questions about the undergraduate lab courses that you 11 took at Berkeley, and I believe you had testified that 12 you took approximately a half dozen.</p> <p>13 Does that sound correct to you?</p> <p>14 A. Yes.</p> <p>15 Q. If I am mischaracterizing anything, 16 please let me know. I am just trying to move this along 17 as quickly as possible.</p> <p>18 Do you remember the names of any of the 19 teachers or professors for any of those classes?</p> <p>20 A. No, I don't.</p> <p>21 Q. Do you remember names of any of the 22 students who took those classes with you?</p> <p>23 A. No.</p> <p>24 Q. Do you know the name of anyone who had 25 responsibility for purchasing the pads and mittens used</p>
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<p>1 Q. Moving on to the Berkeley Research 2 Laboratory where you worked for approximately two and a 3 half years starting in 1960.</p> <p>4 Your supervisor was Dr. Sherburne Cook. 5 Is that correct?</p> <p>6 A. That's correct.</p> <p>7 Q. Do you recall how many people worked in 8 the lab with you?</p> <p>9 A. In the research lab, myself and for a 10 brief period and undergraduate student.</p> <p>11 Q. Do you recall the name of that 12 undergraduate student?</p> <p>13 A. No, I don't.</p> <p>14 Q. Do you recall the name of anyone else 15 who worked in the labs at the Life Sciences Building 16 during that time?</p> <p>17 A. No, I don't.</p> <p>18 Q. Do you know the name of anyone who had 19 responsibility for purchasing pads and mittens at 20 Berkeley during that time?</p> <p>21 A. No.</p> <p>22 Q. Do you know the name of anyone who might 23 know the manufacturer, brand name or trade name of pads 24 or mittens used at that research lab?</p> <p>25 MR. DARCHE: Objection to the</p>	<p>1 in those classes?</p> <p>2 A. No.</p> <p>3 Q. Do you know the name of anyone who might 4 know the manufacturer, brand name or trade name of the 5 pads and mittens used in those classes?</p> <p>6 A. No.</p> <p>7 Q. Do you know the name of anyone who might 8 know the supplier or distributor for whom the pads and 9 mittens used in those classes were purchased?</p> <p>10 A. No.</p> <p>11 Q. Sir, with respect to Hunter College, am 12 I correct in understanding that you took one class at 13 Hunter College?</p> <p>14 A. One laboratory class.</p> <p>15 Q. One laboratory class, thank you.</p> <p>16 Do you remember the name of the teacher 17 or the professor who taught that class?</p> <p>18 A. Dr. Schwartz.</p> <p>19 Q. Is Dr. Schwartz a man or a woman?</p> <p>20 A. A man.</p> <p>21 Q. Do you remember Dr. Schwartz's first 22 name?</p> <p>23 A. No.</p> <p>24 Q. When was the last time you spoke to 25 Dr. Schwartz?</p>

<p style="text-align: right;">Page 293</p> <p>1 A. At the time I took the course. 2 Q. Do you remember the names of any of the 3 students who took that class with you? 4 A. No, I don't. 5 Q. Do you know the names of anyone who had 6 responsibility for purchasing the pads and mittens used 7 in that class? 8 A. No, I don't. 9 Q. Do you know the names of anyone who 10 might know the manufacturer, brand name or trade name of 11 the pads and mittens used in that class? 12 A. No, I don't. 13 Q. Do you know anyone who might know the 14 supplier or distributors from whom or from which those 15 pads and mittens used in that class were purchased? 16 A. No, I don't. 17 Q. After Hunter College, you went back to 18 work at the research lab at U.C. Berkeley. 19 Is that correct? 20 A. That's correct. 21 Q. Dr. Sherburne Cook was still your 22 supervisor. 23 Is that correct? 24 A. That's correct. 25 Q. When you were first working at that</p>	<p style="text-align: right;">Page 295</p> <p>1 Q. When I say "during that time," I am 2 referring to the six or seven months in 1964 that you 3 were working in that lab? 4 A. I understand. 5 Q. Do you know the name of anyone who might 6 know the supplier or distributor from which the pads and 7 mittens used in the research lab during that time were 8 purchased? 9 A. No, I don't. 10 Q. Okay. 11 Moving on to your graduate research in 12 physiology which, as I understand, was conducted at the 13 Life Sciences Building. Is that correct? 14 A. That's correct. 15 Q. And that was conducted on the same floor 16 as the research lab. 17 Is my understanding correct? 18 A. Yes. 19 Q. Am I correct in understanding that the 20 head of the lab and/or your supervisor was Dr. Timirus? 21 A. That's correct. 22 Q. Was there anyone else who worked in that 23 lab at the same time that you were there? 24 A. Yes. 25 Q. About how many people, other people,</p>
<p style="text-align: right;">Page 294</p> <p>1 research lab, there was an undergraduate student who 2 worked with you. 3 Am I correct in recalling your 4 testimony? 5 A. He worked for Dr. Cook. 6 Q. For Dr. Cook. 7 Do you know whether that undergraduate 8 student was still there at that time? 9 A. I don't recall. 10 Q. Was there anyone else who was working in 11 the lab at that time? 12 A. No. 13 Q. Can you remember the name of anyone else 14 who worked in the labs at the Life Sciences Building 15 during that time? 16 A. No. 17 Q. Do you know the name of anyone who had 18 responsibility for purchasing the pads and mittens used 19 in that research lab during that time? 20 A. No. 21 Q. Do you know the name of anyone who might 22 know the manufacturer, brand name or trade name of the 23 pads and mittens used in the research lab during that 24 time? 25 A. No.</p>	<p style="text-align: right;">Page 296</p> <p>1 worked in that lab? 2 A. Three to four. 3 Q. Were those other grad students? 4 A. Yes. 5 Q. Do you know the names of any of those 6 other students? 7 A. Yes. 8 Q. How many names do you remember? 9 A. Two. 10 Q. Okay. 11 What are their names? 12 A. Gabriel Maletta. 13 Q. How do you spell Gabriel's last name? 14 A. M-A-L-E-T-T-A. 15 Q. What is the second person's name? 16 A. Nancy Sherwood. 17 Q. Please spell Nancy's last name? 18 A. S-H-E-R-W-O-O-D. 19 Q. When was the last time you spoke to Mr. 20 Maletta? 21 A. At the time I worked in the laboratory. 22 Q. Did Mr. Maletta have any responsibility 23 for ordering pads and mittens? 24 A. No. 25 Q. Is it Ms. Sherwood?</p>

<p style="text-align: right;">Page 297</p> <p>1 A. Yes. 2 Q. When was the last time you spoke to her? 3 A. Approximately 12 years ago. 4 Q. What was the occasion on which you spoke 5 to her? 6 A. At a scientific meeting. 7 Q. Where was the scientific meeting? 8 A. At Berkeley, California. 9 Q. Do you remember the subject of this 10 meeting? 11 A. Reproductive endocrinology. 12 Q. Do you remember how many days this 13 meeting was? 14 A. One day. 15 Q. Did Ms. Sherwood have any responsibility 16 for ordering pads and mittens? 17 A. I don't know. 18 Q. Do you know whether she is still alive? 19 A. Yes. 20 Q. Is she alive? 21 A. I believe so. I don't know 100 percent. 22 Q. Do you know where she lives? 23 A. No. 24 Q. What makes you believe that she is alive 25 or suspect that she is alive?</p>	<p style="text-align: right;">Page 299</p> <p>1 questions about SUNY Stony Brook which is where you went 2 after working as a graduate student at U.C. Berkeley. Is 3 that correct? 4 A. That's correct. 5 Q. You were at SUNY Stony Brook from 1971 6 to 1974. Is that correct? 7 A. That's correct. 8 Q. Was there somebody to whom you were 9 reporting when you were working at SUNY Stony Brook? 10 A. Yes. 11 Q. To whom were you reporting? 12 A. Albert Carlson. 13 Q. Do you recall what Albert Carlson's 14 position was? 15 A. Professor and department head biological 16 sciences. 17 Q. Was there anyone else that you reported 18 to? 19 A. No. 20 Q. Was there anyone who you worked with and 21 who also reported to Albert Carlson? 22 A. No. 23 Q. Was there anyone who worked for you? 24 A. No. 25 Q. Was there anyone else who worked in that</p>
<p style="text-align: right;">Page 298</p> <p>1 A. I don't know. I withdraw my previous 2 answer. I don't know whether she is still alive. 3 Q. Okay. 4 At the graduate research lab that you 5 were working at or studying at from 1964 to 1966, did you 6 know anyone who had responsibility for purchasing pads 7 and mittens? 8 A. No. 9 Q. Did you know the name -- strike that. 10 Do you know the name of anyone who might 11 know the manufacturer, brand name or trade name of the 12 pads and mittens used in that lab at that time? 13 A. No. 14 Q. Do you know the name of anyone who might 15 know the supplier or distributor from which the pads and 16 mittens used in that lab were purchased? 17 A. No. 18 Q. During that two and a half years, give 19 or take, did you know anyone else who worked in the Life 20 Sciences Building other than Ms. Sherwood, Mr. Maletta 21 and Dr. Timirus? 22 A. Yes. 23 Q. Who else worked in that building? 24 A. I don't recall the names. 25 Q. Sir, I would like to ask you a few</p>	<p style="text-align: right;">Page 300</p> <p>1 lab at the time that you were working there? 2 A. No. 3 Q. When was the last time you spoke with 4 Mr. Carlson? 5 A. The early 80s. 6 Q. On what occasion did you speak to him? 7 A. A visit to the department. 8 Q. And he was still working in the same 9 lab? 10 A. In the same position. 11 Q. Okay. 12 Do you know where Mr. Carlson lives? 13 A. No. 14 Q. Did Mr. Carlson have any responsibility 15 for ordering pads and mittens? 16 A. I don't know. 17 Q. Do you know anyone who had 18 responsibility -- strike that. 19 Do you know the names of anyone who had 20 responsibility for purchasing pads and mittens at SUNY 21 Stony Brook? 22 A. No, I don't. 23 Q. Do you know the names of anyone who 24 might know the manufacturer, brand name or trade name of 25 pads and mittens you used at Stony Brook?</p>

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1 A. No, I don't.	2 Q. Do you know the name of anyone who might	1 1 mittens used at Columbia University while you were there?	2 A. No, I don't.
3 know the supplier or distributor from which the pads and	4 mittens used at Stony Brook were purchased?	3 Q. Do you know the name of anyone who might	4 know the supplier or distributor from which the pads and
5 A. No, I do not.	6 Q. While you were at SUNY Stony Brook, you	5 mittens used at Columbia University were purchased?	6 A. No, I don't.
7 were also working at Columbia University. Is that	8 correct?	7 Q. The University of Southern California,	8 you were there from 1974 to 1977. Is that correct?
9 A. Yes.	10 Q. Was there somebody to whom you reported	9 A. That's correct.	10 Q. You had testified -- actually, I am
11 while working at Columbia University?	12 A. Yes.	11 going to back up before we go on to the University of	12 Southern California.
13 Q. Do you remember the name of that person?	14 A. No.	13 You mentioned Dr. Timirus do you have	14 Dr. Timirus's address?
15 Q. How many people worked with you at	16 Columbia University, if any?	15 A. No, I don't.	16 Q. Do you have Dr. Sherburne Cook's
17 A. For most of the time, none.	18 Q. Was there a period of time where you had	17 address?	18 A. No, I don't. He is deceased.
19 somebody working with you?	20 A. Yes.	19 Q. Do you have Olga Bzrorad's address?	20 A. I do not.
21 Q. Do you know the name of that person?	22 A. No.	21 Q. Going back to the University of Southern	22 California.
23 Q. Was that person a co-worker or was that	24 somebody who reported to you?	23 You had testified before that the chief	24 technician was Heinz Osterburg. Is that correct?
25 A. A co-worker.		25 A. That's correct.	
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1 Q. Was there anyone else, other than	2 yourself, and the supervisor, and this co-worker to	1 Q. Do you have Mr. Osterburg's address?	2 A. No, I don't.
3 whom you just made reference, is there anyone else who	4 worked in this lab during the period that you worked	3 Q. You also testified that there was a	4 graduate student with whom you worked named -- well, you
5 there?	6 A. Yes.	5 mentioned a James Nelson.	6 Did he work for you or with you?
7 Q. And how many other people worked in this	8 lab while you were there?	7 A. With me.	8 Q. Do you have Mr. Nelson's address?
9 A. I do not recall.	10 Q. Was it more than five?	9 A. Yes, I do. But, I do not have it not	10 here.
11 A. I don't know.	12 Q. Okay.	11 Q. Okay.	12 I will ask that after the deposition you
13 Do you know the names of any of the	14 other people who worked in that lab?	13 give the name to your attorney, and I will send a letter	14 requesting it.
15 A. No.	16 Q. Do you know the names of anyone who	15 Monty Heckland, was that an	16 undergraduate assistant?
17 worked in that building, in any other lab in that	18 building, during that time?	17 A. Yes.	18 Q. Did Mr. Heckland work for you?
19 A. No, I don't.	20 Q. Do you know the name of anyone who had	19 A. Yes.	20 Q. Do you have Mr. Heckland's address?
21 responsibility for purchasing pads and mittens at	22 Columbia University?	21 A. No, I don't.	22 Q. To whom did you report at the University
23 A. No, I don't.	24 Q. Do you know anyone who might know the	23 of Southern California?	24 A. Dr. Finch, Caleb Finch.
25 manufacturer, brand name or trade name of the pads and		25 Q. Could you spell his first and last name	

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<p>1 for me, please?</p> <p>2 A. C-A-L-E-B F-I-N-C-H.</p> <p>3 Q. When did you last speak with Mr. Finch?</p> <p>4 A. Approximately ten years ago.</p> <p>5 Q. What was his position at the lab at U.S.C.?</p> <p>6 A. He was the head of the laboratory and a faculty member.</p> <p>7 Q. Did he have responsibility for ordering pads and mittens?</p> <p>8 A. I don't know.</p> <p>9 Q. On what occasion did you speak with Mr. Finch ten years ago?</p> <p>10 A. A visit to the laboratory.</p> <p>11 Q. Did he still have the same position that he had back when you worked there?</p> <p>12 A. I don't know.</p> <p>13 Q. Was he still working in the same lab?</p> <p>14 A. I don't know.</p> <p>15 Q. Was he still employed by the University of Southern California?</p> <p>16 A. I don't know.</p> <p>17 Q. Do you know whether he was working at that time?</p> <p>18 A. At the time I worked at the laboratory?</p>	<p>1 A. Yes.</p> <p>2 Q. How many names do you know?</p> <p>3 A. One.</p> <p>4 Q. What is that name?</p> <p>5 A. Beth Schachter, S-C-H-A-C-H-T-E-R.</p> <p>6 Q. What was her position or title, if you know?</p> <p>7 A. Graduate student.</p> <p>8 Q. Do you know if Ms. Schachter had any responsibility for ordering pads and mittens?</p> <p>9 A. I don't know.</p> <p>10 Q. When was the last time you spoke with Ms. Schachter?</p> <p>11 A. About two weeks ago.</p> <p>12 Q. Do you maintain regular contact with Ms. Schachter?</p> <p>13 A. Yes.</p> <p>14 Q. Is this business, or pleasure or social?</p> <p>15 A. Personal.</p> <p>16 Q. How regularly do you speak with Ms. Schachter?</p> <p>17 A. Regularly.</p> <p>18 Q. On a weekly basis?</p> <p>19 A. Weekly to monthly basis.</p> <p>20 Q. What is -- is she working today</p>
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<p>1 Q. No. Ten years ago.</p> <p>2 A. Yes.</p> <p>3 Q. He was still working at U.S.C. at that time?</p> <p>4 A. Yes.</p> <p>5 Q. Ten years ago, did you know where he lived?</p> <p>6 A. Yes.</p> <p>7 Q. Where was he living at that time?</p> <p>8 A. In Altadena.</p> <p>9 Q. Can you spell that for me?</p> <p>10 A. A-L-T-E-D-E-N-A.</p> <p>11 Q. Is that in California?</p> <p>12 A. California.</p> <p>13 Q. Do you know whether he has maintained that same address?</p> <p>14 A. I don't know.</p> <p>15 Q. Was there anyone else working in the lab at U.S.C. with you other than Mr. Finch, Mr. Osterburg, Mr. Nelson and Mr. Heckland?</p> <p>16 A. Not with me, but in the same premises.</p> <p>17 Q. About how many other people were working in that lab at the same time?</p> <p>18 A. Three.</p> <p>19 Q. Do you know any of their names?</p>	<p>1 A. currently?</p> <p>2 Q. Yes.</p> <p>3 Q. What is her current job or profession?</p> <p>4 A. She is a scientific journalist.</p> <p>5 Q. Where does she work?</p> <p>6 A. She has her own firm.</p> <p>7 Q. Do you know what the name of that is?</p> <p>8 A. No.</p> <p>9 Q. Do you know where she lives?</p> <p>10 A. Yes.</p> <p>11 Q. Where does she live?</p> <p>12 A. In New York City.</p> <p>13 Q. Do you have her address?</p> <p>14 A. Yes.</p> <p>15 Q. At home?</p> <p>16 A. At home.</p> <p>17 Q. We will also make a request that you provide us with her address.</p> <p>18 A. Did Ms. Schachter have any responsibility for purchasing pads and mittens at U.S.C.?</p> <p>19 B. MR. DARCHE: Objection.</p> <p>20 C. Asked and answered.</p> <p>21 D. MR. FRASER: If he did, I apologize. I just don't remember the answer.</p>

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1	MR. DARCHE: He said he didn't	1	A. Post doctorate fellow.
2	know.	2	Q. Do you know whether he had any
3	MR. FRASER: Thank you.	3	responsibility for ordering pads and mittens?
4	Q. Do you know who had responsibility for	4	A. No. He did not.
5	purchasing pads and mittens at U.S.C.?	5	Q. When was the last time you spoke with
6	A. I do not know.	6	Mr. Hata?
7	Q. Okay.	7	A. In 1986.
8	Do you know the name of anyone who might	8	Q. Did he stop working at Mount Sinai at
9	know the manufacturer, brand name or trade name of the	9	that time?
10	pads and mittens used at U.S.C. from 1974 to 1977?	10	A. Yes.
11	A. In the context of might know, might	11	Q. Do you know where Mr. Hata lived at the
12	know, subjunctive, Hansel Supa (phonetic).	12	time that he was working at Mount Sinai?
13	Q. Is there anyone other than Mr. Osterburg	13	A. In New York City.
14	who might know the supplier or distributor from whom the	14	Q. Do you have Mr. Hata's address?
15	pads and mittens used at U.S.C. were purchased?	15	A. No.
16	A. I don't know.	16	Q. With regards to the second person, was
17	Q. Moving on finally to Mount Sinai School	17	that a man or a woman?
18	of Medicine.	18	A. Man.
19	Your supervisor at Mount Sinai was	19	Q. With regards to Mr. Anzai, what was his
20	Dr. Gurgide. Is that correct?	20	position or title?
21	A. That's correct.	21	A. Post doctorate fellow.
22	Q. And there was a technician named Mila	22	Q. Do you know if Mr. Anzai had any
23	DePena. Is that correct?	23	responsibility for purchasing pads or mittens?
24	A. That's correct.	24	A. No. He did not.
25	Q. Was there anyone else who worked with	25	Q. When was the last time you spoke with
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1	you at Mount Sinai?	1	Mr. Anzai?
2	A. Yes.	2	A. About four weeks ago.
3	Q. How many people?	3	Q. On what occasion did you speak with
4	A. Several.	4	Mr. Anzai?
5	Q. Several, more or less than five, if you	5	A. Social occasion.
6	can recall?	6	Q. How frequently do you see or communicate
7	A. Fewer than five.	7	with Mr. Anzai?
8	Q. Okay.	8	A. Infrequently. Communicate once a year.
9	Do you know the names of any of those	9	Q. Is he currently working?
10	people?	10	A. Yes.
11	A. Yes.	11	Q. Do you know where he is currently
12	Q. How many names do you know?	12	working?
13	A. Two.	13	A. In New York City.
14	Q. Okay.	14	Q. Do you know the name of the employer?
15	What is the first person's name?	15	A. He is a gynecologist. He has his own
16	A. Hiroki Hata.	16	office.
17	Q. I am going to ask you to spell that,	17	Q. Do you know the address of either where
18	please?	18	he lives or his office?
19	A. H-I-R-O-K-I H-A-T-A.	19	A. His apartment address, I know.
20	Q. What is the name of the second person?	20	Q. Again, I will ask that you provide that
21	A. Yuzuru Anzai, Y-U-Z-U-R-U A-N-Z-A-I.	21	to your attorney after today.
22	Q. Let's start with Hiroki Hata, is that a	22	Is there anyone else other than Dr.
23	man or a woman?	23	Gurgide, Mila DePena, Mr. Hata and Mr. Anzai who worked
24	A. A man.	24	in the lab at Mount Sinai School of Medicine while you
25	Q. Mr. Hata, what was his position?	25	were there?

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<p>1 A. Dr. Schachter, Ed Schachter. 2 Q. Okay. 3 Anyone else who worked in the lab? 4 A. Yes. 5 Q. Who else would that be? 6 A. Several graduate students and one or two 7 post doctorate fellows. 8 Q. Do you know the names of any of those 9 people? 10 A. No. 11 Q. Do you know the name of anyone who had 12 responsibility for purchasing pads and mittens at Mount 13 Sinai School? 14 A. No, I don't. 15 Q. Do you know the name of anyone who might 16 know the manufacturer, brand name or trade name of the 17 pads and mittens used at Mount Sinai? 18 A. Dr. Gurpide. 19 Q. Anyone else that you can think of? 20 A. No. 21 Q. Is there anyone who might know the 22 supplier or distributor from which the pads and mittens 23 used at Mount Sinai were purchased? 24 A. I don't know. 25 Q. Do you have the address for Dr. Gurpide?</p>	<p>1 today that during the course of your career you at times 2 wore a mask. 3 Is that a fair characterization of your 4 prior testimony today? 5 A. Yes, that's correct. 6 Q. Did you wear a mask during the course of 7 your career while you were using or working with Bunsen 8 burners? 9 A. No. I did not. 10 Q. Did you wear a mask during the course of 11 your career while you were working with Bunsen burner 12 covers? 13 A. No. I did not. 14 Q. Did you wear a mask during the course of 15 your career while you would have to change the Bunsen 16 burner cover? 17 A. No. I did not. 18 Q. Did you wear a mask during the course of 19 your career when you were using asbestos mittens? 20 A. No. I did not. 21 Q. Did you wear a mask over the course of 22 your career when you had to change your asbestos mittens? 23 A. No. I did not. 24 Q. Just so the record is clear, can you 25 describe how you were exposed to asbestos from your work</p>
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<p>1 A. No, I don't. 2 Q. Do you have the address for Mila DePena? 3 A. No, I don't. 4 MR. FRASER: I pass the 5 witness. 6 Thank you, sir. 7 MR. DARCHE: Is that it? 8 BY MR. SCHAFFER: 9 Q. Sir, I just have one or two questions 10 for you. 11 Have you ever been diagnosed with any 12 illnesses associated with your immune system? 13 A. No. 14 MR. SCHAFFER: That is all I 15 have. 16 Thank you. 17 MR. DARCHE: Just note my 18 objection to that last question. 19 I am going to take a few 20 minute break, and then I have a few 21 questions. And we will get out of 22 here. 23 (A short recess was taken.) 24 BY MR. DARCHE: 25 Q. Mr. Holinka, you previously testified</p>	<p>1 with the Bunsen burner covers? 2 A. The Bunsen burner covers are subjected 3 to high heat to the flame of the Bunsen burner, and the 4 material becomes brittle and generates dust. 5 Q. How often did you work with Bunsen 6 burners and Bunsen burner covers over the course of your 7 career? 8 MS. KULJNA: Objection. 9 Q. You can answer. 10 A. Regularly. Over the course of my career 11 frequently. 12 Q. How often did you work with Bunsen 13 burner covers during the course of your career? 14 A. Regularly, frequently. 15 Q. How often during the course of your 16 career did you observe these Bunsen burner covers to be 17 dusty and flaky? 18 A. Regularly. 19 Q. Over the course of your career, how 20 often did you work with asbestos mittens? 21 A. Regularly. 22 Q. During the course of your career, how 23 often would you work with these mittens when you observed 24 the flaking and dusting? 25 MR. SCHAFFER: Objection.</p>

<p style="text-align: right;">Page 317</p> <p>1 MR. KROMBERG: Objection. 2 DEFENSE COUNSEL: Objection. 3 Q. You can answer. 4 A. Often. 5 Q. I am just going to rephrase because of 6 the objection. 7 Mr. Holinka, you have testified that you 8 worked during the course of your career with asbestos 9 mittens. 10 Is that a fair characterization of your 11 testimony? 12 A. That's correct, yes. 13 Q. During the course of your career, how 14 often did you work with these mittens? 15 A. Regularly. 16 Q. Can you describe how you believe – 17 withdrawn. 18 Can you describe how you were exposed to 19 asbestos from these mittens, again, please? 20 A. The mittens were used to handle hot 21 glass work. Heat disintegrates materials including the 22 materials of the mittens -- 23 Q. And what, if anything, would happen? 24 A. And that generates dust and debris. 25 Q. Do you believe that you breathed in that</p>	<p style="text-align: right;">Page 319</p> <p>1 BY MR. DADIKA: 2 Q. Mr. Holinka, my name is Greg Dadika. I 3 am an attorney with the law firm of Reed Smith. I have 4 just one quick question for you. 5 MR. DARCHE: The intro counts. 6 MR. DADIKA: I didn't phrase 7 it in the form of a question. 8 Q. Your attorney just used the term Bunsen 9 burner covers. 10 Is that what you have been referring to 11 throughout your deposition as Bunsen burner pads? 12 A. Yes, that's correct. 13 Q. So, those are interchangeable terms? 14 A. Yes, they are. 15 MR. DADIKA: 16 Q. That's all I wanted to know. 17 MR. ABERNETHY: I have a 18 couple of questions in response 19 specifically to your counsel's 20 questions. 21 BY MR. ABERNETHY: 22 Q. You repeatedly used the word in response 23 to his question regularly in describing the frequency of 24 certain activity. 25 Can you describe what you mean by</p>
<p style="text-align: right;">Page 318</p> <p>1 dust? 2 A. Yes. 3 Q. Over the course of your career, how 4 often did you work with these asbestos mittens? 5 A. Regularly. 6 MR. DARCHE: I have no further 7 questions. 8 BY MR. SCHAFFER: 9 Q. Sir, do you know at what temperature 10 asbestos disintegrates? 11 MR. DARCHE: Objection. 12 If you know. 13 Q. If you know. 14 A. I don't know. 15 MR. SCHAFFER: Thank you. 16 BY MS. KULINA LYONS: 17 Q. I have one. 18 Sir, were there times when you used 19 mittens when they were new? 20 A. Yes. 21 MS. KULINA LYONS: That is all 22 I have. 23 Thank you. 24 MR. DADIKA: I have one quick 25 question.</p>	<p style="text-align: right;">Page 320</p> <p>1 regularly more specifically in terms of how many times 2 per day, per week, per month or how much time? 3 MR. DARCHE: I am going to 4 object to the form of question. 5 You can answer if you can. 6 A. Several times weekly. 7 Q. You also used the word "frequently," 8 does that mean something different than regularly? 9 MR. DARCHE: Object to the 10 form. 11 It means what it means. 12 Obviously – objection to the form. 13 MR. ABERNETHY: I am entitled 14 to probe what he means in specific 15 terms. 16 MR. DARCHE: If you can 17 answer, so ahead. 18 A. Yes. I can offer my interpretation. 19 Q. Well, you used the word. 20 What I am asking is, do you mean 21 something different by frequently than you mean by 22 regularly? 23 A. Frequently, I referred to my overall 24 career. Regularly, I thought of the daily use or weekly 25 use, used per time.</p>

<p style="text-align: right;">Page 321</p> <p>1 Q. You also used the word "often" in 2 describing certain activities or observation. 3 Does that mean something different to 4 you than regularly or frequently? 5 A. No. 6 MR. ABERNETHY: All right. 7 I will leave it at that. 8 Thank you. 9 (The testimony was concluded 10 at 11:55 a.m.)</p>	<p style="text-align: right;">Page 323</p> <p>1 STATE OF) 2 COUNTY OF) SS. 3 4 5 I, the undersigned, declare under penalty of 6 perjury that I have read the foregoing transcript, and I 7 have made any corrections, additions, or deletions that I 8 was desirous of making; that the foregoing is a true and 9 correct transcript of my testimony contained therein.</p> <p>10 11 12 EXECUTED this _____ day of _____, 2007, at 13 _____, _____. 14 City State</p> <p>15 16 17 WITNESS: 18 CHRISTIAN HOLINKA 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 322</p> <p>1 REPORTER'S CERTIFICATE 2 3 I, Kerry D. Halpern, Shorthand Reporter, 4 certify; 5 That the foregoing proceedings were taken 6 before me at the time and place therein set forth, at 7 which time the witness was put under oath by me; 8 That the testimony of the witness and all of 9 the objections made at the time of the examination were 10 recorded stenographically by me and were thereafter 11 transcribed; 12 That the foregoing is a true and correct 13 transcript of my shorthand notes so taken. 14 I further certify that I am not a relative or 15 employee of any attorney or of any of the parties, nor 16 financially interested in the action. 17 I declare under penalty of perjury under the 18 laws of the State of New York that the foregoing is true 19 and correct. 20 Dated this 11th day of March, 2007. 21 22 23 KERRY D. HALPERN, Shorthand Reporter 24 25</p>	<p style="text-align: right;">Page 324</p> <p>1 REPORTER'S CERTIFICATION OF CERTIFIED COPY 2 3 I, KERRY D. HALPERN, Shorthand Reporter in the 4 State of New York, certify that the foregoing pages 248 5 thru 323, constitute a true and correct copy of the 6 original deposition of CHRISTIAN HOLINKA, taken on March 7 1, 2007. 8 I declare under the penalty of perjury under 9 the laws of the State of New York that the foregoing is 10 true and correct. 11 Dated the 11th day of March, 2007. 12 13 14 KERRY D. HALPERN, Shorthand Reporter 15 16 17 18 19 20 21 22 23 24 25</p>